

Article - Education

[\[Previous\]](#)[\[Next\]](#)

§16–505.

(a) In addition to the other powers granted and duties imposed by this title, and subject to the authority of the Commission, the Board of Trustees has the powers and duties set forth in this section.

(b) (1) The Board of Trustees shall exercise general control over the College and establish broad policy and long-range planning to effect the efficient operation of the College.

(2) The Board of Trustees may not participate in the day-to-day operations of the College.

(c) (1) The Board of Trustees shall:

(i) On or before December 1, 2018, review, revise, and update the strategic plan for the College;

(ii) Review and strategically align core course offerings of the College, consistent with accreditation requirements, and focused on the needs of:

1. Students at the College; and

2. The workforce in Baltimore City;

(iii) Make workforce development and job placement top educational priorities of the College;

(iv) Improve student pathways to success, including remedial education, attainment of a degree or a postsecondary certificate, and transfer to 4-year institutions of higher education;

(v) Enter into memoranda of understanding in order to establish student pathways to success with the Baltimore City Public School System, institutions of higher education, and employers;

(vi) Align the budget of the College with realistic enrollment projections;

(vii) Engage in a comprehensive review of all positions, faculty, and staff at the College;

(viii) Establish strong relationships with key stakeholders, including:

1. The Mayor of Baltimore City;
2. The Mayor's Office of Employment Development;
3. The Baltimore City Public School System;
4. Institutions of higher education located in Baltimore City;
5. State agencies, including the Maryland Department of Labor;
6. Private employers; and
7. Business and community organizations;

(ix) Develop and market a brand for the College;

(x) Address the information technology and infrastructure needs of the College, including whether oversight by the Department of Information Technology is advisable;

(xi) Develop or sell all unused or underutilized real estate holdings, including the Inner Harbor site;

(xii) Identify any barriers in State or local laws or regulations that impede the ability of the College to operate efficiently and effectively, including procurement and capital construction projects;

(xiii) Adopt reasonable rules, regulations, and bylaws to carry out the provisions of this subtitle and §§ 10–204 and 10–211 of this article; and

(xiv) Keep separate records and minutes.

(2) Except with respect to skilled service employee grievance appeals, Title 10, Subtitles 1 and 2 of the State Government Article (“Administrative Procedure Act”) does not apply to the Board of Trustees.

(d) (1) Subject to the provisions of paragraph (2) of this subsection and the provisions of § 16-511(d)(3) of this subtitle, the Board of Trustees may receive, purchase, lease, or otherwise acquire property it considers necessary or useful for the operation of the College.

(2) Subject to appropriations and the prior approval of the Board of Public Works, the Board of Trustees may receive, purchase, lease, or otherwise acquire real property.

(e) (1) The Board of Trustees may sell, lease, encumber, or otherwise dispose of assets or property of the College, other than any real property, improvement to real property, or license.

(2) Subject to the prior approval of the Board of Public Works, the Board may sell, lease, encumber, or otherwise dispose of any real property, improvement to real property, or license of the College.

(3) (i) All proceeds and income from any sale, lease, disposition, encumbrance, or development of any property, right, or interest of the College shall be used for the benefit of the College and may not revert to the general funds of the State or be applied to the Annuity Bond Fund of the State.

(ii) 1. The proceeds and income from the sale of any real property, improvement to real property, or license of the College shall be deposited in a special fund.

2. The principal of the special fund may be used for capital expenditures, subject to the approval of the Board of Public Works on a pay-as-you-go basis, and may not be used to pay the operating expenses of the College.

3. The Board of Trustees shall develop the commercial potential of the Inner Harbor site or determine that the Inner Harbor site should be sold to maximize revenue to the College without jeopardizing the educational mission of the College.

(f) The Board of Trustees may apply for, accept, and spend any gift or grant from any government, foundation, or person.

(g) (1) The Board of Trustees shall fix the tuition and fees to be paid by students and shall do so with a view to making college education available at low cost.

(2) (i) Except as otherwise provided in paragraph (4) of this subsection, the Board of Trustees shall assess each student who is not a resident of this State, in addition to the student tuition and fees paid by residents, an out-of-

state fee at least equal to 60 percent of the amount of State support for the College per full-time equivalent student.

(ii) The Board of Trustees may waive the out-of-state fee as determined in subparagraph (i) of this paragraph for a student who is employed by a business located in the City of Baltimore.

(iii) Any student attending the College who receives a tuition waiver as provided by subparagraph (ii) of this paragraph shall not be included as an in-State resident for computation of State aid to the College in accordance with § 16-512 of this subtitle.

(iv) The Board of Trustees may waive the out-of-state fee as determined in subparagraph (i) of this paragraph for a student who resides in the State but does not meet the in-State residency requirement for tuition purposes and has moved to the State as an employee or a family member of an employee as part of the Base Realignment and Closure process as announced by the United States Department of Defense.

(v) Any student attending the College who receives a tuition waiver under subparagraph (iv) of this paragraph shall be included as an in-State resident for computation of State aid to the College in accordance with § 16-512 of this subtitle.

(3) For purposes of this subsection, the number of full-time equivalent students is the quotient of the number of student credit hours produced in the fiscal year divided by 30.

(4) A student who is not a resident of the State shall be considered a resident for purposes of assessing tuition and fees to the extent that such student would be eligible for in-county status under the provisions of § 16-310(a)(4) or (f) of this title.

(5) The Board of Trustees shall set tuition and fees for students who are residents of counties in this State other than Baltimore City at the same rate as the tuition and fees charged to students who reside in Baltimore City.

(h) (1) In accordance with § 16-505.1 of this subtitle, the Board of Trustees shall appoint a President of the College who shall be the Chief Executive Officer of the College and the Chief of Staff for the Board of Trustees.

(2) The Board of Trustees may create other offices in the College and provide for the appointment of qualified persons to those offices.

(3) (i) The Board of Trustees shall appoint an interim president to carry out the duties of the President within 90 days after the office of the President becomes vacant.

(ii) The interim president may not be a member of the Board of Trustees.

(4) (i) Notwithstanding any other provision of law, the Board of Trustees may create any position to the extent that the cost of the position, including any fringe benefit costs, is funded from grant or special project funds.

(ii) The Board of Trustees shall abolish a position created under this paragraph when the grant or special project funds are insufficient to fund the cost of the position, including any fringe benefit costs.

(iii) This paragraph may not be construed to require any additional State General Fund support.

(iv) By September 1 of each year, the Board of Trustees shall submit an annual position accountability report to the Department of Budget and Management, in accordance with § 2–1257 of the State Government Article, the Department of Legislative Services, and the Commission reporting the total positions created and the cost and the funding source for any positions created by the College in the previous fiscal year.

(v) The total number of positions authorized under this paragraph shall be limited as specified annually in the State budget bill.

(i) Subject to the authority of the Commission, the Board of Trustees may:

(1) Establish entrance requirements for the College;

(2) Approve courses and programs;

(3) Adopt and change curricula;

(4) Establish and change requirements for the awarding of credits and degrees and for graduation;

(5) Work with the Commission to establish cooperative program agreements that qualify as statewide programs in accordance with § 16–310(d) of this title; and

(6) Develop effective relationships and cooperative programs with the Baltimore City Public School System to assure that high school students are encouraged to enroll in the College.

(j) The Board of Trustees may fix the salaries and terms of employment of the President, faculty, and officers of the College.

(k) In addition to any performance evaluation required by regulation of the Department of Budget and Management, the Board of Trustees shall evaluate the performance of the faculty of the College in a form developed in cooperation with the Commission.

(l) The Board of Trustees may enter into contracts or delegate that authority to the President.

(m) On the recommendation of the President, the Board of Trustees shall designate one or more representatives to participate as a party in collective bargaining on behalf of the College in accordance with Title 3 of the State Personnel and Pensions Article.

[\[Previous\]](#)[\[Next\]](#)